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Permanent Forum on Indigenous Issues
Eleventh session
New York, 7-18 May 2012
Item 3 of the provisional agenda*
Discussion on the special theme for the year: "The Doctrine of Discovery: its enduring impact on indigenous peoples and the right to redress for past conquests (articles 28 and 37 of the United Nations Declaration on the Rights of Indigenous Peoples)"

Recommendations of the Permanent Forum

1. The Permanent Forum recalls the fourth preambular paragraph of the United Nations Declaration on the Rights of Indigenous Peoples, which affirms that all doctrines, policies and practices based on or advocating superiority of peoples or individuals on the basis of national origin or racial, religious, ethnic or cultural differences are racist, scientifically false, legally invalid, morally condemnable and socially unjust. Legal and political justification for the dispossession of indigenous peoples from their lands, their disenfranchisement and the abrogation of their rights such as the doctrine of discovery, the doctrine of domination, "conquest", "discovery", *terra nullius* or the Regalian doctrine were adopted by colonizers throughout the world. While these nefarious doctrines were promoted as the authority for the acquisition of the lands and territories of indigenous peoples, there were broader assumptions implicit in the doctrines, which became the basis for the assertion of authority and control over the lives of indigenous peoples and their lands, territories and resources. Indigenous peoples were constructed as "savages", "barbarians", "backward" and "inferior and uncivilized" by the colonizers who used such constructs to subjugate, dominate and exploit indigenous peoples and their lands, territories and resources.

2. The ongoing manifestations of such doctrines are evident in indigenous communities, including in the areas of: health; psychological and social well-being; denial of rights and titles to land, resources and medicines; conceptual and behavioural forms of violence against indigenous women; youth suicide; and the hopelessness that many indigenous peoples experience, in particular indigenous youth.

3. Another ongoing manifestation of dispossession doctrines is the concept of extinguishment, found in the regulations, policies and court decisions in which

* E/C.19/2012/1.

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States have purportedly "extinguished" the rights of indigenous peoples to their lands, territories and resources, their right to self-determination, their languages, religions and even their identities and existence through the notion of "recognition", that is by recognizing some and not recognizing others as indigenous. "Extinguishment", in the context of indigenous peoples' rights to lands, territories and resources is inconsistent with the contemporary understanding in international law, specifically the peremptory norm of the absolute prohibition against racial discrimination. No other peoples in the world are pressured to have their rights "extinguished".

4. Article 26 of the United Nations Declaration on the Rights of Indigenous Peoples, treaty body jurisprudence and case law from all major international human rights institutions confirm that indigenous peoples hold collective rights to the lands, territories and resources that they have traditionally owned, occupied or otherwise used, and that respect for their customs, traditions and land tenure systems is owed to them. Such rights have the same legal status as all other property rights to lands, territories and resources. States are no longer allowed to deploy positivist legal interpretations of laws adopted during an era when doctrines such as *terra nullius* were the norm. International human rights law, including norms on equality and non-discrimination such as those affirmed in the International Convention on the Elimination of All Forms of Racial Discrimination and the United Nations Declaration on the Rights of Indigenous Peoples, demand that States rectify past wrongs caused by such doctrines, including the violation of the land rights of indigenous peoples, through law and policy reform, restitution and other forms of redress for the violation of their land rights, including those referred to in articles 27 and 28 of the United Nations Declaration.

5. During its tenth session, the Permanent Forum emphasized that redefining the relationship between indigenous peoples and the State as an important way to understand the doctrine of discovery and a way to develop a vision of the future for reconciliation, peace and justice. To that end, the United Nations Declaration on the Rights of Indigenous Peoples provides a strong human rights framework and standards for the redress of such false doctrines, notably in articles 3, 28 and 37. The Permanent Forum encourages the conduct of the processes of reconciliation "in accordance with the principles of justice, democracy, and respect for human rights, equality, non-discrimination, good governance and good faith".

6. The Permanent Forum recommends that States include in all education curricula, in particular the school system, a discussion of the doctrine of discovery/dispossession and its contemporary manifestations, including land laws and policies of removal.

7. The Permanent Forum welcomes the recommendation to establish a voluntary international mechanism to receive and consider communications from indigenous peoples specifically concerning their claims to, or violations of, their rights to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired. This recommendation deserves further elaboration by indigenous peoples and others concerned. The Forum takes note of the mandate of the Special Rapporteur on the rights of indigenous peoples in this regard.

8. The Permanent Forum recommends that States and the United Nations system, with particular attention to the activities of the United Nations Children's Fund (UNICEF) and the World Health Organization (WHO), introduce indigenous youth

perspectives into existing youth policies and plans, including the five-year action agenda of the Secretary-General to address health issues. In addition, there should be a distinct focus on indigenous youth by improving participation in decision-making and by introducing and including mental health services for young people, with particular efforts to address suicide among indigenous youth.

Study on national constitutions

9. The Permanent Forum highlights the activities of those States that have or are currently undertaking constitutional revision processes to strengthen constitutional provisions on human rights, pluriculturalism and juridical pluralism, among others, and also welcomes those States that are in the midst of ongoing constitutional revision or reform processes. The Forum calls upon all relevant States to review and revise their constitutions and legal frameworks to comprehensively recognize the human rights of indigenous peoples. The Forum recommends that the process of constitutional revision in Member States should be driven by indigenous peoples.

10. The Permanent Forum calls on all States to ensure that their political institutions and structures are not used as a reason to relieve the State of its responsibility to implement international human rights obligations in relation to the rights of indigenous peoples.

11. The Permanent Forum calls on States to ensure that racial non-discrimination is guaranteed in their constitutions. The term "racial discrimination" means any distinction, exclusion, restriction or preference based on race, colour, descent or national or ethnic origin that has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life. The Forum calls on States to adhere to the peremptory norm and the absolute prohibition against racial discrimination as well as all other forms of discrimination, including gender and age.

Report on the impacts of land use change and climate change on indigenous reindeer herders land management

12. The Permanent Forum recommends that the relevant United Nations agencies and Member States with reindeer herding peoples support training and education programmes for indigenous reindeer herding youth and communities in order to secure the future sustainability and resilience of the Arctic and sub-Arctic indigenous pastoral reindeer herding societies and cultures in the face of climate change, land use change and globalization.

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Permanent Forum on Indigenous Issues
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Discussion of the special theme for the year: "The Doctrine of Discovery: its enduring impact on indigenous peoples and the right to redress for past conquests (articles 28 and 37 of the United Nations Declaration on the Rights of Indigenous Peoples)"

Report of the international expert group meeting: combating violence against indigenous women and girls: article 22 of the United Nations Declaration on the Rights of Indigenous Peoples

Recommendations of the Permanent Forum

1. Bearing in mind that the Permanent Forum on Indigenous Issues was named at a time when the United Nations Declaration on the Rights of Indigenous Peoples had not yet been adopted, and considering that the title of the Special Rapporteur on the rights of indigenous peoples was changed, two years ago, from its previous title of "Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people", we strongly urge the Economic and Social Council to recommend that the name of the Forum be changed to "Permanent Forum on the Rights of Indigenous Peoples".

2. The Forum recommends that African States, United Nations agencies and academic institutions undertake studies on the impact of the doctrine of discovery on indigenous peoples of Africa, with a view to creating understanding and awareness.

3. The Forum expresses its concerns regarding continued violence against women and, owing to the seriousness of these conditions, reiterates its previous recommendations regarding: human and sex trafficking; prostitution and trans-border issues; the disappearance, or murder, of aboriginal women; issues related to identification and birth certificates; environmental violence; intergenerational trauma; youth suicide; peace and security; conflict prevention and resolution; cultural practices such as female genital mutilation or cutting; bride price and promised brides; racism and discrimination; and data disaggregation.

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4. The Forum endorses the report and recommendations of the three-day international expert group meeting on the theme "Combating violence against indigenous women and girls: article 22 of the United Nations Declaration on the Rights of Indigenous Peoples" (E/C.19/2012/6). The Forum requests that the report form part of the official documentation of the Commission on the Status of Women at its fifty-seventh session, to be held in 2013.

5. The Forum affirms the recommendation contained in paragraph 57 of the report, urging States to implement and strengthen national censuses and data collection on socio-economic and well-being indicators to include data disaggregation in relation to violence against indigenous women and girls; reiterates the importance of peace and security to the lives of indigenous women and children and endorses the recommendation contained in paragraph 68 of the report, that States should implement Security Council resolutions 1325 (2000), 1820 (2008), 1888 (2009), 1889 (2009) and 1960 (2010); reaffirms the recommendation contained in paragraph 51 that indigenous communities should consider creating and supporting initiatives to monitor and assess the situation of violence against indigenous women and girls and present regular reports to the Permanent Forum on violence against indigenous women and girls; and endorses the recommendation contained in paragraph 55, that United Nations agencies, bodies and other entities support the development of protocol templates for police practices involving missing persons cases of indigenous women and girls, and that indigenous peoples and States work in partnership to implement these protocol templates to increase their effectiveness and to be consistent with international human rights laws, norms and standards.

6. The Forum welcomes the participation and perspective of indigenous women and girls with disabilities, recognizes the distinct vulnerability and marginalization that such indigenous individuals encounter as members of an indigenous group, and encourages United Nations agencies, and Governments and organizations, to include their views.

7. The Forum recommends that the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) and the bureau of the fifty-seventh session of the Commission on the Status of Women include indigenous women as experts on violence against women in the interactive panels and guarantee the participation of indigenous women in the process of preparation for and during the fifty-seventh session of the Commission.

8. The Forum welcomes the adoption by the Commission on the Status of Women at its fifty-sixth session, of the resolution entitled, "Indigenous women: key actors in poverty and hunger eradication" (see E/2012/27-E/CN.6/2012/16, resolution 56/4), and calls for its implementation.

9. The Forum notes with appreciation the continuing research on violence against indigenous girls, adolescents and young women conducted by many Governments and agencies including the United Nations Children's Fund, UN-Women, the United Nations Population Fund, the International Labour Organization, the World Health Organization and the office of the Special Representative of the Secretary-General on violence against children, and the efforts of these agencies to address gaps in knowledge on this issue, increase resources and capacity, and identifying better ways to work collaboratively with indigenous women.

10. The Forum urges indigenous organizations to make more effective use of existing international human rights monitoring instruments, such as the Committee on the Elimination of Discrimination against Women, and to bring communications to their attention regarding claims of violence of different forms against indigenous women, to ensure States take steps to end the persistent and unaddressed violence, including murders and disappearances of indigenous women.

11. The Forum recommends that all States install gender-sensitive action plans and independent self-reporting mechanisms that give particular attention to indigenous peoples, with the aim of protecting victims, prosecuting perpetrators and preventing human trafficking and related serious exploitation in all its forms, in accordance with the United Nations Convention against Transnational Organized Crime, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, the Protocol against the Smuggling of Migrants by Land, Sea and Air, both supplementing the United Nations Convention against Transnational Organized Crime, and the Convention on the Rights of the Child.

12. Celebrating 22 years of the Convention on the Rights of the Child, which is the first legally binding international instrument affirming human rights for all children, the Permanent Forum welcomes the adoption of the third Optional Protocol to the Convention on the Rights of the Child on a communications procedure, enabling individual claims and the use of the examination process, and urges States to accede to this important instrument regarding children in the most vulnerable situations, many of whom are indigenous, to allow them access to recourse and redress.

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Agenda item 5
Comprehensive dialogue with United Nations agencies and funds

Recommendations of the Permanent Forum

Comprehensive dialogue with the World Intellectual Property Organization

1. The Permanent Forum on Indigenous Issues held an in-depth dialogue with the World Intellectual Property Organization (WIPO) on 10 May 2012. The Forum welcomed the participation of WIPO and expressed appreciation for its report on activities in support of indigenous peoples (E/C.19/2012/5).

2. The Permanent Forum commends the work of WIPO, as there are many areas of work that have a strong focus for indigenous peoples, in particular the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore. The Forum also notes that there are initiatives that enable indigenous peoples to participate in the work of WIPO, such as the Voluntary Fund for Accredited Indigenous and Local Communities, which facilitates the attendance of indigenous people at meetings, the Indigenous Intellectual Property Law Fellowship Programme and capacity-building workshops.

3. The Permanent Forum commends WIPO for the establishment of the Voluntary Fund for Accredited and Indigenous Local Communities, and urges Member States and public and private entities to contribute to the Fund to ensure its operation beyond the twenty-second session of the Intergovernmental Committee in accordance with States' commitment to article 41 of the United Nations Declaration on the Rights of Indigenous Peoples.

4. The Permanent Forum recommends that WIPO seek the participation of experts on international human rights law specifically concerning indigenous peoples so that they provide input into the substantive consultation process, in particular with reference to the language in the draft text where indigenous peoples are "beneficiaries" and other language that refers to indigenous peoples as "communities", as well as the general alignment of the draft text of the Intergovernmental Committee with international human rights norms and principles.

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5. The Permanent Forum demands that WIPO recognize and respect the applicability and relevance of the United Nations Declaration on the Rights of Indigenous Peoples as a significant international human rights instrument that must inform the Intergovernmental Committee process and the overall work of WIPO. The minimum standards reflected in the Declaration must either be exceeded or directly incorporated into any and all WIPO instruments that directly or indirectly impact the human rights of indigenous peoples.

6. The Permanent Forum appoints Kanyinke Sena, a member of the Forum, to undertake a study to examine challenges in the African region to protecting traditional knowledge, genetic resources and folklore, and to report thereon to the Forum in 2014.

7. The Permanent Forum welcomes the decision of the Intergovernmental Committee to organize, in cooperation with the Forum, expert preparatory meetings on the Intergovernmental Committee process for indigenous peoples representing the seven geopolitical regions recognized by the Forum.

8. The Permanent Forum requests that WIPO commission a technical review, to be conducted by an indigenous expert, focusing on the draft texts concerning traditional knowledge, genetic resources and traditional cultural expressions, and to provide comments thereon to the Intergovernmental Committee through the Forum. The review should be undertaken within the framework of indigenous human rights.

9. The Permanent Forum calls upon States to organize regional and national consultations to enable indigenous peoples to prepare for and participate effectively in sessions of the Intergovernmental Committee.

10. Consistent with article 18 of the United Nations Declaration on the Rights of Indigenous Peoples, the Permanent Forum requests Member States to explore and establish modalities to ensure the equal, full and direct participation of indigenous peoples in all negotiations of the Intergovernmental Committee.

11. As highlighted in article 31 of the Declaration, the Permanent Forum requests that both WIPO and States take effective measures and to establish mechanisms to recognize the right of indigenous peoples to protect their intellectual property, including their cultural heritage, traditional knowledge and traditional cultural expressions, as well as the manifestations of their sciences, technologies and cultures, including human and genetic resources, seeds, medicines, knowledge of the properties of fauna and flora, oral traditions, literatures, designs, sports and traditional games, and visual and performing arts.

12. The Permanent Forum calls upon WIPO to strengthen its efforts to reach out to indigenous peoples and to continue to provide practical assistance and capacity-strengthening for and in cooperation with indigenous peoples

13. The Permanent Forum calls upon the Intergovernmental Committee to appoint representatives of indigenous peoples as members of any Friends of the Chair groups and as co-chairs of any working groups and drafting groups that may be established by the Committee. It also calls upon the Committee to appoint an indigenous person as a co-chair of the Committee as a whole.

3. The Permanent Forum welcomes the establishment of the international global coordinating group and its efforts to realize the principle of full, effective and direct participation of indigenous peoples in the preparatory processes leading up to the Conference, as well as throughout and after the Conference.

4. The Permanent Forum also welcomes the decision of the President of the sixty-sixth session of the General Assembly to appoint the Permanent Representative of Mexico to the United Nations, Luis Alfonso de Alba, and the international representative of the Sami Parliament of Norway, John Henriksen, to conduct inclusive informal consultations on his behalf, with a view to determining the modalities for the World Conference, including the substantive participation of indigenous peoples.

5. The Permanent Forum calls upon the President of the sixty-sixth session of the General Assembly to share with its members the main conclusions and recommendations emanating from the half-day dialogue on the World Conference held by the members of the Forum within the framework of its eleventh session.

Modalities

6. The Permanent Forum reiterates its call to all Member States to intensify their efforts to adopt the modalities for the World Conference as soon as possible and before the end of the sixty-sixth session of the General Assembly.

7. The Permanent Forum recommends that the World Conference consist of plenary meetings, round tables and interactive dialogues, to be co-chaired by representatives of Member States and indigenous peoples.

8. The Permanent Forum recommends that the accreditation, including of nations, councils, parliaments and governments, as well as traditional governments, for the preparatory conferences and the World Conference reflect the principle of full and effective and direct participation of indigenous peoples, as set forth in articles 18 and 41 of the United Nations Declaration on the Rights of Indigenous Peoples, building upon the established practice of accreditation and inclusive participation followed in other United Nations processes related to indigenous peoples.

Preparatory processes

9. The Permanent Forum reiterates the importance of preparatory processes at all levels for bringing different perspectives to the World Conference and building a spirit of partnership, inclusion and respect, and calls upon Member States, indigenous peoples, and United Nations organizations, funds and programmes to work together at the national, regional and international levels.

10. The Permanent Forum welcomes the invitation of the Governments of Guatemala, Guyana and Mexico and all other States to discuss the preparations for the World Conference and all other invitations related to the preparations for the World Conference.

Indigenous regional preparatory conferences

11. The Permanent Forum welcomes the seven indigenous regional processes that have been initiated preparatory to the Global Indigenous Preparatory Conference, to be held in Alta, Norway, in June 2013.

Joint regional and/or thematic preparatory conferences

12. The Permanent Forum recommends that joint regional and/or thematic preparatory conferences, workshops or other events be organized with the support of Member States, United Nations agencies, funds and programmes and indigenous peoples, with the full participation of indigenous peoples and Member States, as well as the Expert Mechanism on the Rights of Indigenous Peoples, the Special Rapporteur on the rights of indigenous peoples and the Forum.

Preparatory conferences

13. The Permanent Forum recommends that the President of the General Assembly, at its sixty-seventh and sixty-eighth sessions, convene thematic interactive hearings, with the participation of Member States and representatives of indigenous peoples, as well as the Expert Mechanism on the Rights of Indigenous Peoples, the Special Rapporteur on the rights of indigenous peoples and the Permanent Forum, in order to facilitate the development of a concise and joint action-oriented outcome document.

14. The Permanent Forum recognizes that it is uniquely qualified to play a central role providing input on the outcome document and in this regard, the Forum decides to hold discussions on the World Conference within the framework of its twelfth and thirteenth sessions.

15. The Permanent Forum recommends that the President of the sixty-ninth session of the General Assembly convene, immediately following the high-level meetings of the Assembly and prior to the World Conference, two-day thematic interactive hearings, with the participation of Member States and representatives of indigenous peoples, as well as the Expert Mechanism on the Rights of Indigenous Peoples and the Special Rapporteur on the rights of indigenous peoples, in order to build commitment from Member States, the bodies and organizations of the United Nations system and other stakeholders, and the Forum.

16. The Permanent Forum recommends that the themes for the round tables of the World Conference be decided by Member States and indigenous peoples through the preparatory processes. The United Nations Declaration provides a substantial framework for the development of the focus of the World Conference.

17. The round tables, workshops, hearings and preparatory conferences should focus on action-oriented outcomes based on inclusive and participatory processes, to be accorded official status. A drafting committee could be appointed by the President of the General Assembly, in consultation with Member States and indigenous peoples, to accomplish this purpose.

The global conference

18. The Permanent Forum considers that the two-day high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples

should be held in New York in September 2014, during the week leading up to the opening of the general debate, in order to encourage the highest level of participation of Member States, in particular Heads of State or Government, and with the full participation of indigenous peoples, heads of United Nations organizations, funds and programmes and non-governmental organizations.

19. The President of the sixty-ninth session of the General Assembly, in consultation with Member States and representatives of indigenous peoples, should appoint co-chairs from among Member States and indigenous peoples to preside over the plenary meeting of the Assembly.

Recommendations to the bodies and organizations of the United Nations system and Member States

20. The Permanent Forum recommends that United Nations organizations, funds and programmes, in particular the United Nations Development Programme, prepare a special report for the Conference on the realization of the rights of indigenous peoples, the objectives of the Second International Decade of the World's Indigenous People, the Millennium Development Goals and the United Nations development agenda beyond 2015, which should contain disaggregated statistics in relation to indigenous women, youth and children as well as address associated thematic issues such as economic sustainability and youth employment.

21. The Permanent Forum recommends that United Nations funds and programmes and specialized agencies actively engage in the process leading up to the World Conference by prioritizing the development of concrete means of providing support for the full and effective participation of indigenous peoples in the World Conference, including technical and financial support.

22. The Permanent Forum reiterates its call to all Member States, intergovernmental organizations, the bodies and organizations of the United Nations system, in particular the Inter-Agency Support Group, non-governmental organizations and the private sector to cooperate fully with the preparatory processes and the World Conference.

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Agenda item 9
Future work of the Permanent Forum, including issues of the Economic and Social Council and emerging issues

Recommendations of the Permanent Forum on the future work of the Forum

1. The Permanent Forum wishes to express its thanks to the Government of Nicaragua for hosting its 2012 pre-sessional meeting. The Forum also thanks the Governments of Bolivia (Plurinational State of), China, Denmark, Greenland, Norway and Spain for having hosted the Forum's previous pre-sessional meetings, and the Government of the Congo for expressing interest in hosting the 2013 pre-sessional meeting. The Forum requests that the secretariat organize pre-sessional meetings for future sessions of the Forum and urges all Member States that have not considered hosting pre-sessional meetings of the Forum to do so.

2. The Permanent Forum recommends that a meeting additional to the pre-sessional meeting be organized in the fourth quarter of 2013, without any budgetary implications, to discuss methods of work.

3. The Permanent Forum wishes to express its gratitude to those States that have contributed to the Trust Fund for the Second International Decade of the World's Indigenous People. The Forum also expresses its concern over the small amount of funds available to support the small grants programme under the Second Decade, as well as the Forum's work and activities. As an illustration of the lack of sufficient funds, pursuant to its 2012 call for proposals, the small grants programme received over 1,000 applications for funding but could support only 6 of the proposed projects.

4. The Permanent Forum welcomes with appreciation the decision of the General Assembly, in its resolution 66/141, to request the Secretary-General to submit to the Assembly at its sixty-seventh session a comprehensive report on the rights of the child, with a focus on indigenous children. The Forum wishes to take part in any initiative undertaken by the Secretary-General in preparing the comprehensive report on the rights of the child.

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5. The Permanent Forum also welcomes the interest of the Special Representative of the Secretary-General on Violence against Children in joining the Inter-Agency Support Group and calls upon the Special Representative to work closely with the members of the Forum in preparing a section on the situation of indigenous children in the Special Representative's annual reports to the General Assembly and the Human Rights Council.

6. The Permanent Forum calls upon Member States, the bodies and organizations of the United Nations system, the United Nations funds and programmes, the Inter-Agency Support Group and, in particular, the United Nations country teams, indigenous peoples' organizations and non-governmental organizations in consultative status with the Economic and Social Council, to report on the implementation of the Forum's recommendations, especially by responding to the questionnaire prepared by the Forum secretariat.

7. The Permanent Forum also calls upon the World Health Organization (WHO) to work in close cooperation with the Forum in establishing a programme on non-communicable diseases, with special attention to indigenous peoples and diabetes. The Forum recognizes the findings of the Expert Meeting on Indigenous Peoples, Diabetes and Development, held in Copenhagen on 1 and 2 March 2012, and its outcome document entitled "The Copenhagen call to action" and recommends that those outcomes be considered when establishing the programme. The Forum appoints Ms. Paimanach Hasteh, member of the Forum, as the focal point for coordination with WHO on this matter.

8. The Permanent Forum appoints Ms. Eva Biaudet, member of the Forum, to undertake a study on the right to participation in decision-making processes of indigenous youth in the Nordic countries, to be submitted to the Forum at its twelfth session.

9. The Permanent Forum appoints Ms. Biaudet to review World Bank operational policies on indigenous peoples and to determine to what extent those policies respect the United Nations Declaration on the Rights of Indigenous Peoples, with her findings to be submitted to the Forum at its twelfth session.

10. The Permanent Forum appoints Ms. Myrna Cunningham and Mr. Paul Kanyinke Sena, members of the Forum, to undertake a study on the situation of indigenous persons with disabilities, with a particular focus on challenges faced with respect to the full enjoyment of human rights and inclusion in development, to be submitted to the Forum at its twelfth session. Preparation of the report will be supported by the secretariat of the Convention on the Rights of Persons with Disabilities and will include consultations with indigenous persons with disabilities and their representative organizations.

11. The Permanent Forum appoints Ms. Cunningham and Mr. Kanyinke Sena to undertake a study on the political participation of indigenous women on international, national and local levels, to be submitted to the Forum at its twelfth session.

12. The Permanent Forum appoints Ms. Cunningham and Mr. Saul Vicente Vazquez, member of the Forum, to undertake a study, with the assistance of indigenous universities, on how the indigenous knowledge systems, history and the contemporary social circumstances of indigenous peoples are embedded in the curriculum of education systems, to be submitted to the Forum at its twelfth session.

13. The Permanent Forum appoints Ms. Megan Davis, member of the Forum, to undertake a study on the impact of the mining boom upon indigenous communities in Australia, to be submitted to the Forum at its twelfth session.

14. The Permanent Forum appoints Ms. Anna Naykanchina, Ms. Dalee Sambo Dorough and Mr. Kanyinke Sena, members of the Forum, to undertake a study on resilience, traditional knowledge and capacity-building in Arctic and sub-Arctic indigenous reindeer herding communities and in African indigenous pastoralist communities, with a focus on good practices and opportunities, to be submitted to the Forum at its twelfth session.

15. The Permanent Forum appoints Ms. Sambo Dorough and Ms. Davis to undertake a study on an optional protocol to the United Nations Declaration on the Rights of Indigenous Peoples.

16. The Permanent Forum appoints Ms. Valmaine Toki, member of the Forum, to undertake a study on decolonization of the Pacific, to be submitted to the Forum at its twelfth session.

17. The Permanent Forum has decided to appoint Mr. Raja Devasish Roy and Mr. Simon William M'Viboudoulou, members of the Forum, to conduct a study on best practices and examples in respect of resolving land disputes and land claims, including consideration of the National Commission on Indigenous Peoples (Philippines) and the Chittagong Hill Tracts Land Dispute Resolution Commission (Bangladesh) and the Working Group on Indigenous Populations/Communities of the African Commission on Human and Peoples' Rights, to be submitted to the Forum at its twelfth session.

18. The Permanent Forum appoints Mr. Edward John, member of the Forum, to conduct a study on the impacts of the Doctrine of Discovery on indigenous peoples, including mechanisms, processes and instruments of redress, with reference to the United Nations Declaration on the Rights of Indigenous Peoples, and particularly to articles 26-28, 32 and 40, to be submitted to the Forum at its thirteenth session in 2014.

19. The Permanent Forum has decided to appoint Mr. John, Mr. Alvaro Pop and Ms. Cunningham, members of the Forum, to conduct a study on the links between indigenous rights, truth commissions and other truth-seeking mechanisms on the American continents, to be submitted to the Forum at its twelfth session.

20. The Permanent Forum decides to appoint Mr. Pop to examine the situation of indigenous peoples and their participation in the democracies and electoral processes in Latin America under the United Nations Declaration on the Rights of Indigenous Peoples, with his findings to be submitted to the Forum at its twelfth session.

21. All of the studies undertaken by the members of the Permanent Forum will be conducted within existing resources and submitted by 31 December 2012. The Forum also takes note of the ongoing studies by its members and commits to ensuring that those studies are completed by 31 December 2012 and submitted to the Forum at its twelfth session.

22. The Permanent Forum urges indigenous peoples' organizations and academic institutions, in particular indigenous peoples' universities, to prepare thematic

studies, within the mandate areas of the Forum, as a contribution to the preparatory processes leading up to the World Conference on Indigenous Peoples in 2014.

23. The Permanent Forum calls upon Member States to ensure that the outcome document of the United Nations Conference on Sustainable Development (Rio+20) is aligned with the rights affirmed in the United Nations Declaration on the Rights of Indigenous Peoples.

24. The Permanent Forum appreciates the invitation to participate in the Second Continental Summit of Indigenous Communication, to be held in Oaxaca, Mexico, in 2013 and recommends that Forum members Saul Vicente Vazquez and Alvaro Pop attend the Summit.

25. The Permanent Forum invites the World Bank, as well as regional banks, to a half-day in-depth session to review the development and adoption of comprehensive indigenous peoples' policies and mechanisms for the effective engagement and participation of indigenous peoples, consistent with the United Nations Declaration on the Rights of Indigenous Peoples.

26. The Permanent Forum welcomes the cooperation with the World Heritage Committee and recommends that the Committee's advisory bodies to work in close cooperation with the Forum as well as indigenous peoples.

27. The Permanent Forum takes note of the Global Programme for Electoral Cycle Support initiative, with its focus on indigenous women and youth in Latin America, led by the United Nations Development Programme, and appreciates the contributions of donors provided to ensure the success of the Programme. The Forum recommends that Member States, the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) and the United Nations Children's Fund (UNICEF) support financially this important programme for indigenous women and youth.

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Draft report

Rapporteur: Ms. Megan **Davis**

Chapter I
Matters calling for action by the Economic and Social Council or brought to its attention

A. Draft decisions recommended by the Permanent Forum for adoption by the Council

1. The Permanent Forum on Indigenous Issues recommends to the Economic and Social Council the adoption of the following draft decisions:

Draft decision I
International expert group meeting on the theme "Indigenous youth: identity, challenges and hope: articles 14, 17, 21 and 25 of the United Nations Declaration on the Rights of Indigenous Peoples"

The Economic and Social Council decides to authorize a three-day international expert group meeting on the theme "Indigenous youth: identity, challenges and hope: articles 14, 17, 21 and 25 of the United Nations Declaration on the Rights of Indigenous Peoples".

Draft decision II
Venue and dates of the twelfth session of the Permanent Forum

The Economic and Social Council decides that the twelfth session of the Permanent Forum on Indigenous Issues shall be held at United Nations Headquarters in New York, from 20 to 31 May 2013.

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Draft decision III

Report of the Permanent Forum on Indigenous Issues on its eleventh session and provisional agenda for its twelfth session

The Economic and Social Council,

(a) Takes note of the report of the Permanent Forum on Indigenous Issues on its eleventh session;

(b) Approves the provisional agenda for the twelfth session of the Permanent Forum as set out below:

1. Election of Officers.
2. Adoption of the agenda and organization of work.
3. Follow-up on the recommendations of the Permanent Forum:
   (a) Health;
   (b) Education;
   (c) Culture.
4. Half-day discussion on the African region.
5. Comprehensive dialogue with United Nations agencies and funds.
6. Discussion on the World Conference on Indigenous Peoples.
7. Human rights:
   (a) Implementation of the United Nations Declaration on the Rights of Indigenous Peoples;
   (b) Dialogue with the Special Rapporteur on the rights of indigenous peoples and the Chair of the Expert Mechanism on the Rights of Indigenous Peoples.
8. Future work of the Permanent Forum, including issues of the Economic and Social Council and emerging issues.
9. Draft agenda for the thirteenth session of the Permanent Forum.
10. Adoption of the report of the Permanent Forum on its twelfth session.

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Permanent Forum on Indigenous Issues
Eleventh session
New York, 7-18 May 2012

Draft report

Rapporteur: Ms. Megan **Davis**

Chapter I
Matters calling for action by the Economic and Social Council or brought to its attention

A. Draft decisions recommended by the Forum for adoption by the Council

1. The Permanent Forum on Indigenous Issues recommends to the Economic and Social Council the adoption of the following draft decisions:

Draft decision I
Venue and dates of the twelfth session of the Permanent Forum on Indigenous Issues [to be completed]

Draft decision II
Provisional agenda for the twelfth session of the Permanent Forum on Indigenous Issues [to be completed]

B. Matters brought to the attention of the Council

2. The Permanent Forum has identified the proposals, objectives, recommendations and areas of possible future action set out below and, through the Council, recommends that States, entities of the United Nations system, intergovernmental organizations, indigenous peoples, the private sector and non-governmental organizations assist in their realization.

3. It is the understanding of the Secretariat that the proposals, objectives, recommendations and areas of possible future action to be carried out by the United Nations, as set out below, will be implemented to the extent that resources from the regular budget and extrabudgetary resources are available.

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Recommendations of the Permanent Forum [to be completed]

Chapter II
Venue, dates and proceedings of the session

4. By its decision 2011/267, the Economic and Social Council decided that the eleventh session of the Permanent Forum would be held at United Nations Headquarters from 7 to 18 May 2012.

5. At its 2nd to 5th, 7th and 8th meetings, on 7 to 9, 10 and 11 May 2012, the Permanent Forum considered, under agenda item 3, "Discussion on the special theme for the year: 'The Doctrine of Discovery: its enduring impact on indigenous peoples and the right to redress for past conquests (articles 28 and 37 of the United Nations Declaration on the Rights of Indigenous Peoples)'". For its consideration of the item, the Forum had before it the documents entitled "Study on the impacts of land use change and climate change on indigenous reindeer herders' livelihoods and land management, including culturally adjusted criteria for indigenous land uses" (E/C.19/2012/4), "Combating violence against indigenous women and girls: article 22 of the United Nations Declaration on the Rights of Indigenous Peoples" (E/C.19/2012/6) and "Indigenous participatory mechanisms in the Arctic Council, the Circumpolar Inuit Declaration on Resource Development Principles in Inuit Nunaat and the Laponia management system" (E/CN.9/2012/10). At its 15th and 16th meetings, on 18 May 2012, the Forum considered and adopted its recommendations submitted under agenda item 3 (see chap. I, sect. B).

6. At its 11th and 12th meetings, on 15 May, the Forum considered agenda item 4, "Human rights: (a) Implementation of the United Nations Declaration on the Rights of Indigenous Peoples; (b) Dialogue with the Special Rapporteur on the rights of indigenous peoples and the Chair of the Expert Mechanism on the Rights of Indigenous Peoples". For its consideration of the item, the Forum had before it a note by the secretariat entitled "Information from Member States" (E/C.19/2012/12). At its 15th and 16th meetings, on 18 May, the Forum considered and adopted its recommendations submitted under agenda item 4 (see chap. I, sect. B).

7. At its 6th meeting, on 10 May, the Forum considered agenda item 5, "Comprehensive dialogue with United Nations agencies and funds", during which there was a dialogue with the World Intellectual Property Organization (WIPO). For its consideration of the item, the Forum had before it a note submitted by the secretariat of WIPO (E/C.19/2012/5), a note by the Forum secretariat (E/C.19/2012/9) and the report of the Inter-Agency Support Group on Indigenous Peoples' Issues on its 2011 annual meeting (E/C.19/2012/11). At its 15th and 16th meetings, on 18 May, the Forum considered and adopted its recommendations submitted under agenda item 5 (see chap. I, sect. B).

8. At its 9th meeting, on 14 May, the Forum considered agenda item 6, "Half-day discussion on the rights of indigenous peoples to food and food sovereignty". At its 15th and 16th meetings, on 18 May, the Forum considered and adopted its recommendations submitted under agenda item 6 (see chap. I, sect. B).

9. At its 8th meeting, on 11 May, the Permanent Forum considered agenda item 8, "Half-day discussion on Central and Eastern Europe, the Russian Federation, Central Asia and Transcaucasia". At its 15th and 16th meetings, on 18 May, the

Forum considered and adopted its recommendations submitted under agenda item 8 (see chap. I, sect. B).

10. At its 13th meeting, on 17 May, the Forum considered agenda item 9, "Future work of the Permanent Forum, including issues of the Economic and Social Council and emerging issues". For its consideration of the item, the Forum had before it a note by the secretariat entitled "Ongoing priorities and themes" (E/C.19/2012/2) and documents entitled "Analysis of the duty of the State to protect indigenous peoples affected by transnational corporations and other business enterprises" (E/C.19/2012/3), "Implementation of the recommendations of the Permanent Forum" (E/C.19/2012/7) and "Study on shifting cultivation and the socio-cultural integrity of indigenous peoples" (E/C.19/2012/8). At its 15th and 16th meetings, on 18 May, the Forum considered and adopted a draft decision and its recommendations submitted under agenda item 9 (see chap. I, sects. A and B).

11. At its 14th meeting, on 17 May, the Forum considered agenda item 10, "Draft agenda for the twelfth session of the Permanent Forum". At its 15th and 16th meetings, on 18 May, the Forum considered and adopted a draft decision submitted under agenda item 10 (see chap. I, sect. A).

High-level event to commemorate the fifth anniversary of the adoption of the United Nations Declaration on the Rights of Indigenous Peoples

12. On 17 May 2012, pursuant to General Assembly resolution 66/142, the Secretary-General convened a high-level event to commemorate the fifth anniversary of the adoption of the United Nations Declaration on the Rights of Indigenous Peoples. [To be completed.]

Chapter III
Adoption of the report of the Forum on its eleventh session

13. At the 15th and 16th meetings, on 18 May, the Rapporteur introduced the draft decisions and recommendations and the draft report of the Permanent Forum on its eleventh session.

14. At its 16th meeting, on 18 May, the Permanent Forum adopted its draft report.

Chapter IV
Organization of the session

A. Opening and duration of the session

15. The Permanent Forum held its eleventh session at United Nations Headquarters from 7 to 18 May 2012. It held 16 formal meetings and 3 closed meetings to consider the items on its agenda.

16. At the 1st meeting, on 7 May, the session was opened by the Assistant Secretary-General for Policy Coordination and Inter-Agency Affairs. At the opening ceremony, Tododaho Sid Hill, of the Onondaga Nation, delivered a welcoming address. The Deputy Secretary-General made a statement.

17. At the same meeting, statements were made by the Assistant Secretary-General for Policy Coordination and Inter-Agency Affairs, the Chair of the Permanent Forum and the Minister of Communication in Charge of Relations with the Parliament of the Congo. Ceremonial prayers were recited by Mayan elders, Virginia Ajxup and Juan Sapil.

B. Attendance

18. Members of the Forum and representatives of Governments, intergovernmental organizations and bodies, United Nations entities, and non-governmental and indigenous organizations attended the session. The list of participants is contained in document E/C.19/2012/INF/1.

C. Election of officers

19. At its 1st meeting, on 7 May, the Forum elected the following members of the Bureau by acclamation:

Chair:
Edward **John**

Vice-Chairs:
Anna **Naykanchina**
Valmaine **Toki**
Alvaro **Pop**
Simon **M'Vibodoulou**

Rapporteur:
Megan **Davis**

D. Agenda

20. At its 1st meeting, on 7 May, the Forum adopted the provisional agenda as contained in document E/C.19/2012/1.

E. Documentation

21. A list of the documents before the Forum at its eleventh session is contained in document E/C.19/2012/INF/2.

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Agenda item 4
Human rights

Recommendations of the Permanent Forum

1. Since the adoption in 2007 of the United Nations Declaration on the Rights of Indigenous Peoples, few States have entered into effective dialogue or partnerships or have undertaken adequate legal reforms to implement the Declaration.

2. The Permanent Forum urges States to provide detailed reports to the Forum on the implementation of the Declaration. It recommends public education initiatives and best practices in respect of the Declaration, in particular through training programmes for government agencies, the judiciary and law enforcement officials, in collaboration with indigenous peoples. Furthermore, the Forum recommends that such reports be included in the periodic reports mandated under human rights treaties and the universal periodic review procedures.

3. The Permanent Forum reiterates that indigenous peoples should report to the Forum on how they are implementing the Declaration in their own communities, thereby contributing to the growing evidence of how the principles enshrined in the Declaration are being practised.

4. The Permanent Forum invites members of all United Nations human rights treaty bodies, in particular the Committee on the Rights of the Child, to attend the annual sessions of the Permanent Forum, as observers, with the objective of increasing awareness about the distinct human rights and cultural contexts of indigenous peoples so as to enhance their work in relation to indigenous peoples and the Declaration.

5. The Permanent Forum reiterates the need for States to address the impact of militarization, including appropriation of land, forcible occupation and displacement, on the land, territorial and other collective rights of indigenous peoples, perpetrated by security forces, including the military, militias and other armed groups.

6. Mindful of the systemic racism experienced by indigenous peoples in the law enforcement, judicial and correctional institutions of States across the globe, the Permanent Forum urges States that have ratified the International Covenant on Civil

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and Political Rights to comprehensively review the civil rights of indigenous peoples, in particular those of indigenous women and children who are victims of sexual violence, in order to ensure that they have fair, non-discriminatory access to justice.

7. The Permanent Forum urges States to promote models for the health, social, legal and other sectors of indigenous communities and service providers to follow in implementing the Declaration. It recommends that the World Health Organization (WHO) revisit the report of the WHO Commission on Social Determinants of Health to address the cultural determinants of health, such as land, language, ceremony and identity, which are essential to the health and well-being of indigenous peoples.

8. The Permanent Forum reiterates the call, made at its tenth session, to United Nations agencies and funds to conduct and support regional and international human rights training programmes aimed at building the capacity and advocacy skills of indigenous youth. Furthermore, the Forum recommends the use of social media, youth forums and other popular cultural forms of communication to disseminate information and training material on the rights of indigenous youth and to facilitate consultation processes at the national and international levels.

9. The Permanent Forum urges States to promote and protect the rights of indigenous women and men working as journalists and as human rights defenders in accordance with international human rights law, in particular in accordance with article 16 of the Declaration, which calls for the full freedom of expression of indigenous peoples.

10. The Permanent Forum urges States to prepare reports on the actions taken to address the recommendations of all United Nations special rapporteurs, in particular the Special Rapporteur on the rights of indigenous peoples, especially the recommendations made at the conclusion of country visits, and encourages States to monitor their progress in this regard, in collaboration with indigenous peoples, United Nations country teams and all other relevant parties. Furthermore, the Forum reiterates that national human rights institutions are encouraged to assist indigenous peoples and the Special Rapporteur on the rights of indigenous peoples in the implementation of the Declaration.

11. Mindful of the human rights violations experienced by indigenous peoples, the Permanent Forum encourages States, in particular those in the Pacific region, to recognize and implement the basic fundamental human rights articulated in the Declaration, particularly the right to self-determination.

12. The Permanent Forum recommends that the full, effective and direct representation and participation of indigenous peoples, including their indigenous governments, councils, parliaments and other political institutions, should be ensured at all United Nations forums and multilateral, bilateral negotiations, as well as in the drafting processes of the corresponding emerging instruments. Such instruments must be harmonized with the Declaration, which is regarded as a reflection of the minimum human rights standards necessary for the promotion and protection of indigenous peoples, nations and communities. Such instruments should be consistent with or exceed these minimum standards.

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Agenda items 6 and 8

Half-day discussion on the rights of indigenous peoples to food and food sovereignty

Half-day discussion on Central and Eastern Europe, the Russian Federation, Central Asia and Transcaucasia

Recommendations of the Permanent Forum

1. The Permanent Forum notes that indigenous peoples' right to food and food sovereignty is inextricably linked with the collective recognition of rights to land and territories and resources, culture, values and social organization. Subsistence activities such as hunting, fishing and gathering are essential not only to the right to food, but to nurturing their cultures, languages, social life and identity. The right to food depends on access to and control over their lands and other natural resources in their territories. The Forum notes that displacement, resource development such as mining, monoculture, natural disasters and other activities have an impact on food sovereignty; article 10 of the United Nations Declaration on the Rights of Indigenous Peoples is relevant to food sovereignty because without indigenous peoples' access to forests, oceans, rivers, lakes and lands for cultivation and food source sustainability food sovereignty is impossible to achieve. The levels of hunger and malnutrition among indigenous peoples are often disproportionately higher than among the non-indigenous population, and yet they often do not benefit from programmes designed to fight hunger and malnutrition or to promote development.

2. The Permanent Forum welcomes the legal reforms and policies carried out in some States to recognize the right of indigenous peoples to food and food sovereignty. It would also like to encourage the remaining States to take the steps towards its recognition. The Permanent Forum encourages States to take positive actions to facilitate the capacity of indigenous peoples to strengthen traditional food systems, such as formally recognizing and demarcating indigenous territories to enable them to carry out productive food activities, in accordance with article 8 (2) (b) of the United Nations Declaration on the Rights of Indigenous Peoples, which prohibits States from any action that has the aim or effect of dispossessing indigenous peoples of their lands, territories or resources.

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3. The Permanent Forum notes that in international law, the right to adequate food and the fundamental right to be free from hunger apply to everyone without discrimination. The Permanent Forum is concerned about the implementation gap between what is legally recognized and the reality. The right to food is frequently denied or violated, often as a result of systematic discrimination or the widespread lack of applicability of indigenous peoples' rights. The Permanent Forum recommends that States engage in an inclusive and participatory process to ensure food sovereignty and security, in accordance with the principles of free, prior and informed consent, and develop standards and methodologies and cultural indicators to assess and address food sovereignty.

4. The Permanent Forum welcomes the invitation from the Government of Mexico to include members of the Forum at the Group of 20 (G-20) summit of June 2012, and decides to appoint Saul Vicente and Dalee Sambo Dorough, members of the Forum, to attend the G-20 summit and present their views regarding the right to food.

5. The Permanent Forum welcomes the recent adoption of the Food and Agriculture Organization of the United Nations (FAO) voluntary guidelines on the responsible governance of tenure of land, fisheries and forests in the context of national food security. The Permanent Forum recommends that FAO establish partnerships with indigenous peoples to implement the policy and guidelines with the aim of promoting secure tenure rights and equitable access to land, fisheries and forests as a means of eradicating hunger and poverty, supporting sustainable development and enhancing the environment.

6. The Permanent Forum recommends Member States and United Nations agencies to include indigenous peoples in the activities programmed to commemorate the International Year of Quinoa.

7. According to articles 25 through 36 of the United Nations Declaration on the Rights of Indigenous Peoples, States shall uphold the right to free, prior and informed consent of indigenous peoples and avoid, minimize and adjudicate land conflicts arising from extractive industries, large scale water, energy and infrastructure projects, and agricultural investments.

8. The United Nations Conference on Sustainable Development (Rio+20) should embrace the cultural dimensions of sustainable development. The Permanent Forum recommends to the Conference on Sustainable Development to approve the cultural indicators as a fourth "pillar" for the elaboration of development policies for all peoples.

9. The Permanent Forum recommends FAO and the International Fund for Agricultural Development (IFAD) to provide special attention and support to food sovereignty and security concerns of indigenous peoples through thematic studies, adoption of participatory methodologies, technical and financial assistance.

Study on shifting cultivation and the sociocultural integrity of indigenous peoples

10. The Permanent Forum recommends that States formally recognize shifting cultivation as a traditional occupation for indigenous peoples that is closely related to their social and cultural identity and integrity and take effective measures to stop all discriminatory acts targeted at indigenous peoples practice of shifting cultivation in line with the provisions of International Labour Organization (ILO) Convention

No. 169, ILO Convention No. 111, ILO Recommendation No. 104 and the United Nations Declaration on the Rights of Indigenous Peoples, including through the delineation and the titles of the territories and lands concerned.

11. States should discontinue all sedentarization and other programmes that coerce indigenous peoples to forsake shifting cultivation for other modes of cultivation without their free, prior and informed consent. Alternative modes of cultivation should ensure food sovereignty, livelihood security, health security, educational security and forest conservation and other safeguards.

12. The Permanent Forum urges relevant United Nations agencies, funds and programmes, including FAO, IFAD, ILO, the United Nations Environment Programme, the United Nations Educational, Scientific and Cultural Organization, the United Nations Institute for Training and Research, the United Nations Entity for Gender Equality and the Empowerment of Women and the World Bank, to recognize and support this form of cultivation.

Agenda item 8
Half-day discussion on Central and Eastern Europe, the Russian Federation, Central Asia and Transcaucasia

13. The populations of Central and Eastern Europe, the Russian Federation, Central Asia and Transcaucasia are among the world's most ethnically diverse. The Russian Federation is a multi-ethnic society with over 100 different ethnic groups, 47 of which are legally recognized as "numerically small-numbered indigenous peoples of the North, Siberia and the Far East". They continue to face challenges, including low life expectancy, languages are under serious threat and land use is routinely restricted. One of the main challenges is that indigenous peoples in these regions do not have access to mechanisms to ensure the protection of their rights. Indigenous peoples need to be more involved in local politics and in decision-making on issues that involved the protection and the promotion of their rights.

14. The Permanent Forum urges the Governments of Central and Eastern Europe, the Russian Federation, Central Asia and Transcaucasia regions to work in good faith with indigenous peoples for the unqualified endorsement and full implementation of the United Nations Declaration on the Rights of Indigenous Peoples.

15. The Permanent Forum urges the Governments of Central and Eastern Europe, the Russian Federation, Central Asia and Transcaucasia regions to implement international standards and norms on the rights of indigenous peoples and ensure their rights to lands, territories and resources, in particular article 20 of the United Nations Declaration on the Rights of Indigenous Peoples. This includes recognizing reindeer herders' use and management of grazing land and use of necessary biological resources by hunters, fishers and foragers.

16. The Permanent Forum recommends an increase in the decision-making mechanisms for indigenous peoples' participation in decision-making concerning land use and resource exploration and exploitation and access to free legal advice regarding development issues.

17. The Permanent Forum notes that indigenous youth in the region are often forced to leave their home and lands to receive an education, which can pose an obstacle to the right to education. The Permanent Forum urges States in Central and

Eastern Europe, the Russian Federation, Central Asia and Transcaucasia to take measures to ensure the enjoyment of the right to education by indigenous youth. The Permanent Forum encourages States of the region to facilitate the development of indigenous peoples self-administration, the development of their inner potential and human resources, forming parliaments following the example of the Sami people; and decent representation of the small-numbered indigenous peoples in the bodies of legislative and executive power on all levels.